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EXAMINER

POKRZYWA, JOSEPH R

ART UNIT

PAPER NUMBER

2622

DATE MAILED: 09/14/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/051,278

Applicant(s)

KUMASHIO, HIROYA

Examiner

Joseph R. Pokrzywa

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-14 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 22 January 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 12/10/04.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

DETAILED ACTION

Priority

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Information Disclosure Statement

2. The references listed in the Information Disclosure Statement submitted on 12/10/04 have been considered by the examiner.

Specification

3. The attempt to incorporate subject matter into this application by reference to the Japanese Patent Application 2001-011294 is ineffective because the incorporation of essential material in the specification by reference to an unpublished U.S. application, foreign application or patent, or to a publication is improper. Applicant is required to amend the disclosure to include the material incorporated by reference, if the material is relied upon to overcome any objection, rejection, or other requirement imposed by the Office. The amendment must be accompanied by a statement executed by the applicant, or a practitioner representing the applicant, stating that the material being inserted is the material previously incorporated by reference and that the amendment contains no new matter. 37 CFR 1.57(f).

Drawings

4. The drawings received on 1/22/02 are acceptable to the examiner.

Claim Objections

5. **Claim 1** is objected to because of the following informalities:

In *claim 1*, line 6, “base” should read “based”.

Appropriate correction is required.

Claim Rejections - 35 USC § 102

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

7. **Claims 1-14** are rejected under 35 U.S.C. 102(b) as being anticipated by Kageyama *et al.* (U.S. Patent Number 5,625,757).

Regarding *claim 1*, Kageyama discloses printing system (see Figs. 1-4) having at least one printer (network printer 1A) comprising a document supervisory client (client WS 11) configured to generate at least one print condition setting (see Fig. 4, being the print request of logical specification level, column 17, lines 38-42, and column 22, line 31-column 23, line 29), and a document supervisory server (print server 300, seen in Fig. 4) configured to perform

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printing based upon a printing request from the document supervisory client in accordance with the print condition settings (see Figs. 4 and 13, column 22, line 31-column 23, line 29, and column 24, line 26-column 25, line 24), wherein the document supervisory client makes a query to the document supervisory server via a network if the print condition settings are appropriate in a printer (see Figs. 4 and 13, logical specifications 72-1, column 23, line 44-column 24, line 35), the document supervisory server returns advisability of the print condition settings to the document supervisory client (candidates 72-3, as seen in Fig. 13, column 23, line 44-column 24, line 35).

Regarding *claim 2*, Kageyama discloses the system discussed above in claim 1, and further teaches that the document supervisory server changes a combination of the print condition settings (column 23, line 44-column 24, line 65), and sends an appropriate combination including one set of changed print condition settings to the document supervisory client when determining the print condition settings are inappropriate (column 24, line 26-column 25, line 17).

Regarding *claim 3*, Kageyama discloses printing system (see Figs. 1-4) comprising a first computer including a document supervisory client (client WS 11) configured to generate at least one print condition setting (see Fig. 4, being the print request of logical specification level, column 17, lines 38-42, and column 22, line 31-column 23, line 29), and a second computer including a document supervisory server (print server 300, seen in Fig. 4) configured to perform printing based upon a printing request from the document supervisory client in accordance with the at least one print condition setting (see Figs. 4 and 13, column 22, line 31-column 23, line 29, and column 24, line 26-column 25, line 24), and at least one printer connected to a

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network (see Figs. 1-4), wherein the document supervisory client makes a query to the document supervisory server via the network if the print condition settings are appropriate in one of the at least one printer (see Figs. 4 and 13, logical specifications 72-1, column 23, line 44-column 24, line 35), the document supervisory server returns advisability of the print condition settings to the document supervisory client (candidates 72-3, as seen in Fig. 13, column 23, line 44-column 24, line 35).

Regarding *claim 4*, Kageyama discloses the system discussed above in claim 3, and further teaches that the document supervisory server changes a combination of the at least one print condition setting (column 23, line 44-column 24, line 65) and sends an appropriate combination including a changed set of print condition settings to the document supervisory client when determining the at least one print condition setting is inappropriate (column 24, line 26-column 25, line 17).

Regarding *claim 5*, Kageyama discloses the system discussed above in claim 1, and further teaches that the document supervisory server sends initial setting values with applicable character strings and graphs each representing print condition settings to the document supervisory client (candidates 72-3, as seen in Fig. 13, column 23, line 44-column 24, line 35), and the document supervisory client generates a user interface configured to allow print condition settings based upon the setting values, character strings, and graphs (column 24, line 1-column 25, line 17).

Regarding *claim 6*, Kageyama discloses the system discussed above in claim 5, and further teaches that the document supervisory server changes a combination of the print condition settings (column 23, line 44-column 24, line 65) and sends an appropriate combination

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including one set of changed print condition settings to the document supervisory client when determining the print condition settings are inappropriate combination (column 24, line 26-column 25, line 17).

Regarding *claim 7*, Kageyama discloses the system discussed above in claim 3, and further teaches that the document supervisory server sends initial setting values with applicable character strings and graphs each representing print condition settings to the document supervisory client (candidates 72-3, as seen in Fig. 13, column 23, line 44-column 24, line 35), and the document supervisory client generates a user interface configured to allow print condition settings based upon the setting values, character strings, and graphs (column 24, line 1-column 25, line 17).

Regarding *claim 8*, Kageyama discloses the system discussed above in claim 7, and further teaches that the document supervisory server changes a combination of the print condition settings (column 23, line 44-column 24, line 65) and sends an appropriate combination including one set of changed print condition settings to the document supervisory client when determining the print condition settings are inappropriate combination (column 24, line 26-column 25, line 17).

Regarding *claim 9*, Kageyama discloses the system discussed above in claim 3, and further teaches that the document supervisory client is configured to send an ID which uniquely identifies a document stored in a database in a document supervisory server (see Figs. 42-44, "Job Number" 41-2, 42-2, and 442, respectively), and the document supervisory server obtains an applicable document corresponding to the ID and executes printing the applicable document in accordance with the print condition settings (column 47, line 61-column 49, line 27).

Regarding *claim 10*, Kageyama discloses printing method comprising the steps of generating at least one prescribed print condition setting in a first computer (see Fig. 4, being the print request of logical specification level, column 17, lines 38-42, and column 22, line 31-column 23, line 29), transmitting a query to a second computer via a network if the print condition settings are appropriate in a printer connected to the network (see Figs. 4 and 13, logical specifications 72-1, column 23, line 44-column 24, line 35), returning advisability of the print condition settings from the second computer to the first computer (candidates 72-3, as seen in Fig. 13, column 23, line 44-column 24, line 35), and performing printing in accordance with the advisability (see Figs. 4 and 13, column 22, line 31-column column 23, line 29, and column 24, line 26-column 25, line 24).

Regarding *claim 11*, Kageyama discloses the method discussed above in claim 10, and further teaches of determining if the print condition settings are appropriate in the printer (column 22, lines 31-column 23, line 67), changing a combination of the print condition settings to an appropriate combination (column 23, line 44-column 24, line 65), and sending the appropriate combination to the first computer (column 24, line 26-column 25, line 17).

Regarding *claim 12*, Kageyama discloses the method discussed above in claim 11, and further teaches of sending all offsetting values related to the printer as appropriate print condition settings, applicable character strings and graphs representing initial print condition settings to the first computer (candidates 72-3, as seen in Fig. 13, column 23, line 44-column 24, line 35), and generating a user interface configured to allow modification of print condition settings based upon the setting values, character strings, and graphs (column 24, line 1-column 25, line 17).

Regarding **claim 13**, Kageyama discloses the method discussed above in claim 12, and further teaches of sending an ID from the first computer to the second computer via the network, the ID uniquely identifies a document (see Figs. 42-44, "Job Number" 41-2, 42-2, and 442, respectively), obtaining the document corresponding to the ID, and executing printing the document based on the print condition settings (column 47, line 61-column 49, line 27).

Regarding **claim 14**, Kageyama discloses printing system having means for printing (see Figs. 1-4) comprising means for generating at least one print condition setting (see Fig. 4, being the print request of logical specification level, column 17, lines 38-42, and column 22, line 31-column 23, line 29), and means for printing based upon the at least one print condition setting (see Figs. 4 and 13, column 22, line 31-column 23, line 29, and column 24, line 26-column 25, line 24), wherein the means for generating makes a query to the means for printing via means for networking if the print condition setting is appropriate in the means for printing (see Figs. 4 and 13, logical specifications 72-1, column 23, line 44-column 24, line 35), the means for printing returns advisability of the at least one print condition setting based on a condition of the means for printing (candidates 72-3, as seen in Fig. 13, column 23, line 44-column 24, line 35).

8. **Claims 1-8, 10-12, and 14** are rejected under 35 U.S.C. 102(e) as being anticipated by Owa *et al.* (U.S. Patent Number 6,348,971).

Regarding **claim 1**, Owa discloses printing system having at least one printer (see Fig. 1) comprising a document supervisory client (host computer 1) configured to generate at least one print condition setting (step S1 in Fig. 6, column 4, lines 30-44), and a document supervisory

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server (server 3, having the sections 11, 12, and 13 installed in the server 3, as read in column 17, lines 44-58) configured to perform printing based upon a printing request from the document supervisory client in accordance with the print condition settings (column 5, line 30-column 7, line 22, and column 17, lines 35-58), wherein the document supervisory client makes a query to the document supervisory server via a network if the print condition settings are appropriate in a printer (column 5, line 26-column 7, line 22, and column 17, lines 44-58), the document supervisory server returns advisability of the print condition settings to the document supervisory client (column 6, lines 50-column 7, line 22, and column 17, lines 44-58).

Regarding *claim 2*, Owa discloses the system discussed above in claim 1, and further teaches that the document supervisory server (server 3, having the sections 11, 12, and 13 installed in the server 3, as read in column 17, lines 44-58) changes a combination of the print condition settings (column 6, lines 6-49) and sends an appropriate combination including one set of changed print condition settings to the document supervisory client when determining the print condition settings are inappropriate (column 6, lines 6-49, and column 17, lines 44-58).

Regarding *claim 3*, Owa discloses printing system (see Fig. 1) comprising a first computer including a document supervisory client (host computer 1) configured to generate at least one print condition setting (step S1 in Fig. 6, column 4, lines 30-44), and a second computer including a document supervisory server (server 3, having the sections 11, 12, and 13 installed in the server 3, as read in column 17, lines 44-58) configured to perform printing based upon a printing request from the document supervisory client in accordance with the at least one print condition setting (column 5, line 30-column 7, line 22, and column 17, lines 35-58), and at least one printer connected to a network (printers 2a-2d, seen in Fig. 1), wherein the document

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supervisory client makes a query to the document supervisory server via the network if the print condition settings are appropriate in one of the at least one printer (column 5, line 26-column 7, line 22, and column 17, lines 44-58), the document supervisory server returns advisability of the print condition settings to the document supervisory client (column 6, lines 50-column 7, line 22, and column 17, lines 44-58).

Regarding *claim 4*, Owa discloses the system discussed above in claim 3, and further teaches that the document supervisory server (server 3, having the sections 11, 12, and 13 installed in the server 3, as read in column 17, lines 44-58) changes a combination of the at least one print condition setting (column 6, lines 6-49) and sends an appropriate combination including a changed set of print condition settings to the document supervisory client when determining the at least one print condition setting is inappropriate (column 6, lines 6-49, and column 17, lines 44-58).

Regarding *claim 5*, Owa discloses the system discussed above in claim 1, and further teaches that the document supervisory server (server 3, having the sections 11, 12, and 13 installed in the server 3, as read in column 17, lines 44-58) sends initial setting values with applicable character strings and graphs each representing print condition settings to the document supervisory client (column 5, line 64-column 6, line 49), and the document supervisory client generates a user interface configured to allow print condition settings based upon the setting values, character strings, and graphs (see Fig. 6, column 5, line 64-column 6, line 49).

Regarding *claim 6*, Owa discloses the system discussed above in claim 5, and further teaches that the document supervisory server (server 3, having the sections 11, 12, and 13 installed in the server 3, as read in column 17, lines 44-58) changes a combination of the print

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condition settings (column 6, lines 6-49) and sends an appropriate combination including one set of changed print condition settings to the document supervisory client when determining the print condition settings are an inappropriate combination (column 6, lines 6-49, and column 17, lines 44-58).

Regarding *claim 7*, Owa discloses the system discussed above in claim 3, and further teaches that the document supervisory server (server 3, having the sections 11, 12, and 13 installed in the server 3, as read in column 17, lines 44-58) sends initial setting values with applicable character strings and graphs each representing print condition settings to the document supervisory client (column 5, line 64-column 6, line 49), and the document supervisory client generates a user interface configured to allow print condition settings based upon the setting values, character strings, and graphs (see Fig. 6, column 5, line 64-column 6, line 49).

Regarding *claim 8*, Owa discloses the system discussed above in claim 7, and further teaches that the document supervisory server (server 3, having the sections 11, 12, and 13 installed in the server 3, as read in column 17, lines 44-58) changes a combination of the print condition settings (column 6, lines 6-49) and sends an appropriate combination including one set of changed print condition settings to the document supervisory client when determining the print condition settings are an inappropriate combination (column 6, lines 6-49, and column 17, lines 44-58).

Regarding *claim 10*, Owa discloses printing method comprising the steps of generating at least one prescribed print condition setting in a first computer (step S1 in Fig. 6, performed in host computer 1, column 4, lines 30-44), transmitting a query to a second computer (server 3, having the sections 11, 12, and 13 installed in the server 3, as read in column 17, lines 44-58) via

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a network if the print condition settings are appropriate in a printer connected to the network (column 5, line 30-column 7, line 22, and column 17, lines 35-58), returning advisability of the print condition settings from the second computer to the first computer (column 6, lines 50-column 7, line 22, and column 17, lines 44-58), and performing printing in accordance with the advisability (column 7, lines 11-22).

Regarding *claim 11*, Owa discloses the method discussed above in claim 10, and further teaches of determining if the print condition settings are appropriate in the printer (column 6, lines 6-49), changing a combination of the print condition settings to an appropriate combination (column 6, lines 6-49), and sending the appropriate combination to the first computer (column 6, lines 6-49, and column 17, lines 44-58).

Regarding *claim 12*, Owa discloses the method discussed above in claim 11, and further teaches of sending all offsetting values related to the printer as appropriate print condition settings, applicable character strings and graphs representing initial print condition settings to the first computer (column 5, line 64-column 6, line 49), and generating a user interface configured to allow modification of print condition settings based upon the setting values, character strings, and graphs (see Fig. 6, column 5, line 64-column 6, line 49).

Regarding *claim 14*, Owa discloses printing system having means for printing (see Fig. 1) comprising means for generating at least one print condition setting (step S1 in Fig. 6, column 4, lines 30-44), and means for printing based upon the at least one print condition setting (column 5, line 30-column 7, line 22, and column 17, lines 35-58), wherein the means for generating makes a query to the means for printing via means for networking if the print condition setting is appropriate in the means for printing (column 5, line 26-column 7, line 22,

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and column 17, lines 44-58), the means for printing returns advisability of the at least one print condition setting based on a condition of the means for printing (column 6, lines 50-column 7, line 22, and column 17, lines 44-58).

Citation of Pertinent Prior Art

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

Brockway *et al.* (U.S. Patent Number 6,842,766) discloses a server-client system that allows setting of printer configurations; and

Mochizuki (U.S. Patent Number 6,384,926) discloses a network printing system.

Conclusion

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joe Pokrzywa whose telephone number is (571) 272-7410. The examiner can normally be reached on Monday-Friday, 9:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward L. Coles can be reached on (571) 272-7402. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Joseph R. Pokrzywa
Primary Examiner
Art Unit 2622

A handwritten signature in black ink, appearing to read "Joseph R. Pokrzywa", written in a cursive style.

jrp